

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff;

v.

COMMONWEALTH OF PUERTO RICO,
ET AL.,

Defendants.

No. 12-cv-2039 (GAG)

**JOINT MOTION IN COMPLIANCE WITH ORDER ON FILINGS
THAT SHOULD BE UNRESTRICTED FOR PUBLIC VIEWING**

TO THE HONORABLE COURT:

Plaintiff, the United States of America, and Defendants, the Commonwealth of Puerto Rico and the Puerto Rico Police Bureau (collectively, the Parties), with the concurrence of the Acting Monitor and in compliance with the Court's Order of June 14, 2019, ECF No. 1258, respectfully submit their recommendations on court filings that should be unrestricted for viewing by the public. In the Order, the Court instructed the Parties and the Monitor to "inform the Court jointly on or before June 25, 2019, what further motions in the docket that remain in restricted mode should be unrestricted." *Id.* As set forth below, the Parties recommend that the Court lift the restriction on 36 restricted filings to allow public viewing of these documents. For cause, the Parties state and pray:

1. The Court has periodically instructed the Parties to review the restricted filings in this case and recommend those that may be unrestricted for viewing by the public. *See, e.g.*, Order n.1, ECF No. 681 (Dec. 20, 2017); Order, ECF No. 883 (June 11, 2018); Order, ECF No 1026 (Nov. 28, 2018). The Parties have made their recommendations consistent with the principle that "public monitoring of the judicial system fosters the important values of quality,

honesty and respect for our legal system.” *In re Providence Journal*, 293 F.3d 1, 9 (1st Cir. 2002) (quoting *Siedle v. Putnam Investments*, 147 F.3d 7, 10 (1st Cir. 1998)). The Parties agree that the public has a presumptive right of access to judicial documents and that compelling reasons must exist to justify continued nondisclosure of these documents. *See United States v. Kravetz*, 706 F.3d 47, 59 (1st Cir. 2013) (internal citations omitted).

2. On June 14, 2019, the Court instructed the Parties and the Acting Monitor to “inform the Court jointly on or before June 25, 2019, what further motions in the docket that remain in restricted mode should be unrestricted.” Order, ECF No. 1258.

3. There are currently 63 restricted motions and orders in this case. With the concurrence of the Acting Monitor, the Parties recommend unsealing 36 of these filings for public viewing at this time. These 36 motions and orders are: ECF Nos. 261, 270, 288, 308, 314, 325, 329, 330, 331, 386, 682, 931, 958, 963, 964, 1044, 1066, 1076, 1079, 1095, 1102, 1127, 1135, 1136, 1140, 1156, 1166, 1180, 1181, 1183, 1186, 1187, 1188, 1190, 1194, and 1225.

4. The Parties recommend that 26 restricted motions and orders should remain in restricted mode. The restriction on these filings should remain for one or more of the following reasons: the filing contains personally-identifying information; the filing pertains to an administrative investigation or personnel matter; the filing contains information that is law enforcement sensitive; or the filing is under review by the Parties or the Court. These 26 restricted motions and orders are: ECF Nos. 252, 588, 599, 673, 791, 793, 794, 796, 828, 829, 846, 849, 850, 853, 855, 857, 863, 873, 886, 894, 896, 897, 1004, 1015, 1107, and 1196.

5. The Parties are unable to make a recommendation on the Monitor’s *ex parte* Motion in Compliance, ECF No. 292. The Parties will need access to the document to offer a recommendation to the Court.

WHEREFORE, the Parties respectfully request that the Court remove the restriction on the 36 motions and orders listed in paragraph 3, above, to permit public viewing of the filings.

WE HEREBY CERTIFY that today we have electronically filed the foregoing document with the Clerk of the Court for the District of Puerto Rico using the CM/ECF system, which will send a copy and notification of filing to the Acting Monitor, the Special Master, and all counsel of record.

RESPECTFULLY SUBMITTED this 25th day of June, 2019,

For Plaintiff UNITED STATES OF
AMERICA:

STEVEN H. ROSENBAUM
Chief, Special Litigation Section

s/Luis E. Saucedo

TIMOTHY D. MYGATT

Deputy Chief

LUIS E. SAUCEDO (G01613)

Counselor to the Chief

JORGE CASTILLO (G02912)

Trial Attorney

U.S. Department of Justice

Civil Rights Division

Special Litigation Section

950 Pennsylvania Avenue, NW

Washington, DC 20530

Telephone: (202) 598-0482

Fax: (202) 514-4883

luis.e.saucedo@usdoj.gov

jorge.castillo@usdoj.gov

Attorneys for Plaintiff

For Defendants COMMONWEALTH OF
PUERTO RICO, ET AL.:

s/Maria A. Dominguez

Maria A. Dominguez

USDC-PR No. 210908

madt@mcvpr.com

s/Arturo J. Garcia Sola

Arturo J. Garcia Sola

USDC-PR No. 201903

ajg@mcvpr.com

s/Lizzie M. Portela

Lizzie M. Portela

USDC-PR No. 208401

lpf@mcvpr.com

s/Javier F. Micheo Marcial

Javier F. Micheo Marcial

USDC-PR No. 305310

jfmm@mcvpr.com

McCONNELL VALDÉS LLC

P.O. Box 364225

San Juan, PR 00936-4225

Telephone (787) 250-5641

Fax: (787) 759-8282

Attorneys for Defendants